

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD H. GARDNER,

Plaintiff,

-v-

RAMON AYALA-RODRIGUEZ, *et al.*,

Defendants.

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8/7/08

No. 07 Civ. 6535 (RJS)
ORDER

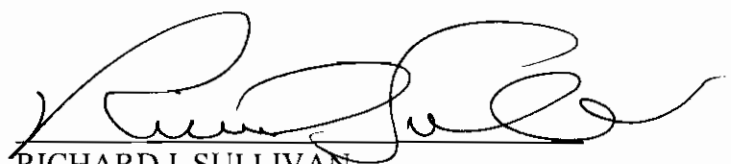
RICHARD J. SULLIVAN, District Judge:

It has come to the attention of the Court that since June 12, 2008, the parties have made repeated filings of discovery materials via ECF in the above-captioned case, including, *inter alia*, depositions, interrogatories, and requests for production of documents.

The parties are hereby advised that discovery materials should not be filed with the Court unless the party is making a motion pursuant to Rules 26 through 37 of the Federal Rules of Civil Procedure or the party otherwise receives permission from the Court. *See* Fed. R. Civ. P. 5(d)(1) (“[D]isclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses *must not be filed* until they are used in the proceeding or the court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission.”) (emphasis added); *see also* Local Civil Rule 5.1 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.

SO ORDERED.

Dated: August 7, 2008
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE